

MHNS030065442026



Misc. Cri. Case No. 1136/2026.
Gagan Shankar Vidhate
V/s State Excise Department, Nashik

ORDER BELOW EXH. 1.
(Passed on 12th August, 2026)

The applicant **Gagan Shankar Vidhate** has filed this application under Section 503 of the **B.N.S.S.** for releasing mobile i.e. Samsung Galaxi A-34 IMEI No. 350386307822394 in connection with Crime No. 082/2026.

2. Read the application and say given by Ld. APP as well as I.O. The application as well as the documents are uploaded in e-filing. Perused the same. The Ld. APP and IO also uploaded say on e-filing. I.O and Ld. APP have given objection to return the said mobile.

3. It is contended by the applicant that, is original owner of the above mentioned muddemal seized by State Excise Department, Nashik. Further, the said muddemal is seized by State Excise Department, Nashik as such the same may be damaged. Hence, he prayed for release of the same on supratnama.

4. Perusal of the record shows that, the applicant has filed the copy of Aadhar Card, mobile bill and F.I.R. below list of Exh. 3. Perusal of the same shows that, the above referred muddemal is in the name of applicant. If the said muddemal is kept in the State Excise Department, Nashik for long period of time, it would be damaged, than the applicant

would suffer loss. Therefore, in my opinion it would be proper to return the said muddemal to the applicant on suprutnama by putting certain conditions. In the result, I pass the following order :-

ORDER

1. Application is allowed.
2. The Officer of State Excise Department, Nashik is directed to release the referred mudemal i.e. Samsung Galaxi A-34 IMEI No. 350386307822394 in connection with Crime No. 082/2026 on suprutnama in favour of the applicant **Gagan Shankar Vidhate**.
3. The applicant shall execute the bond of Rs. 50,000/- (Rupees Fifty Thousand only) with following conditions in the bond.
 - a) The applicant shall not alienate or transfer the said muddemal to anybody without permission of the Court.
 - b) The applicant shall not change the nature of the said muddemal in any manner.
 - c) The applicant shall produce the said muddemal before this Court, Appellate Court, Revisional Court and other Competent Court as and when ordered.
 - d) The applicant shall not use the above referred muddemal against the provisions of law.
 - e) The applicant shall upload the copy of indemnity bond on e-filing.
4. The State Excise Department, Nashik is directed to prepare the panchanama of handing over of the said muddemal and

take photographs of the same and submit the same in the Court along with charge-sheet.

5. Suprutnama bond shall be submitted before the court.

Date : 12/08/2026.

(Rupali C. Narwadiya)
02nd Additional Chief Judicial
Magistrate, Nashik.